

WEDNESDAY, MARCH 19, 1997

EIGHTEENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Matthew Barber, Open Door Tabernacle Church, Johnson City, Tennessee.

Representative Patton led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present and not voting were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Kisber; personal reasons

Representative Garrett; personal reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 545: Rep(s). Lewis and Hood as prime sponsor(s).

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House Bill No. 583: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 1107: Rep(s). Pleasant, Haley and Hargett as prime sponsor(s).

House Bill No. 1256: Rep(s). Cole (Dyer), Gunnels, Cole (Carter), Fraley and Godsey as prime sponsor(s).

House Bill No. 1264: Rep(s). Bittle as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 18, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 58; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 58 -- Naming and Designating - "Motorcycle Awareness Month," May 1997. by *Womack, *Kyle, *Dixon.

**MESSAGE FROM THE SENATE
March 18, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 106, 1647, 1664, 1667 and 1773; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 106** -- Energy - Expands powers relative to natural gas properties to include electricity by authorizing incorporation as energy acquisition corporation instead of gas acquisition corporation. Amends TCA Title 7, Chapter 39. by *Rochelle, *Atchley.

***Senate Bill No. 1647** -- Highway Signs - "American Ex-Prisoners of War Highway," U.S. 70. by *Crowe, *Carter, *Harper, *Williams, *Dixon.

Senate Bill No. 1664 -- Unemployment Compensation - Establishes for purposes of determining "employment unit," that if two or more related corporations, paying through "common paymaster," pay concurrently employed employee, each corporation only considered to have paid employee amounts actually disbursed by each respective corporation. Amends TCA Section 50-7-205. by *McNally, *Elsea, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler, *Dixon, *Crutchfield, *Cooper, *Graves.

Senate Bill No. 1667 -- Unemployment Compensation - Establishes \$50.00 minimum assessment against employer defaulting on unemployment insurance premiums. Amends TCA Section 50-7-404(c)(2). by *McNally, *Elsea, *Atchley, *Jordan, *Koella, *Person, *Haun, *Carter, *Ramsey, *Leatherwood, *Gilbert, *Miller J, *Dixon, *Crutchfield, *Cooper, *Graves.

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***Senate Bill No. 1773** -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 64 (S.R. 15), Wayne County. by *Wilder, *Kyle, *Dixon.

ENROLLED BILLS

March 19, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1436 and 1879, also, House Joint Resolution(s) No(s) 88, 89, 95, 96, 97, 98, 99, 102 and 106.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 19, 1997

The Speaker signed the following: House Bill(s) No(s). 1436 and 1879; House Joint Resolution(s) No(s). 88, 89, 95, 96, 97, 98, 99, 102 and 106.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

PERSONAL ORDERS

RECOGNITION

Rep. Cole (Dyer) was recognized in the Well to honor the 1997 All-Tennessee Academic Team.

RULES SUSPENDED

Rep. Cole (Dyer) moved that House Joint Resolution No. 121 be removed from the Consent Calendar and that the rules be suspended for the purpose of calling up House Joint Resolution No. 121 out of order, which motion prevailed.

House Joint Resolution No. 121 -- Memorials, Academic Achievement - 1997 All-Tennessee Academic Team. by *Cole (Dyer).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Cole (Dyer), with the request that all members voting aye be added as sponsors, the resolution was adopted.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 38 -- Naming and Designating - Joachim Bible Waterfowl Refuge. by *Whitson, *Davis R.

Conservation & Environment Committee

***House Joint Resolution No. 115** -- Highway Signs - "Leroy Shults Memorial Bridge," Cosby Creek, S.R. 32. by *Davis R.

Transportation Committee

***House Joint Resolution No. 126** -- Memorials, Congress - Urges setting aside of \$60 million in TennCare funds for treatment of alcohol and drug abuse. by *Bowers, *West, *Chumney.

Commerce Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 20, 1997:

House Resolution No. 40 -- Memorials, Professional Achievement - Radio Cafe, second anniversary. by *Boner.

House Resolution No. 41 -- Memorials, Personal Occasion - Margaret Odessa Webster Wiggins, 62nd birthday and retirement from Metro Public Schools. by *Pruitt, *DeBerry L, *Langster, *West, *Robinson, *Halteman Harwell, *Boner, *Odom, *Arriola, *Bowers, *DeBerry J, *Jones, S..

House Resolution No. 42 -- Memorials, Professional Achievement - David L. Johnson. by *Ferguson.

House Joint Resolution No. 122 -- Memorials, Sports - Gary Stinnett, TSSAA A. F. Bridges Award of Excellence recipient. by *Huskey.

House Joint Resolution No. 123 -- Memorials, Sports - Megan Ivory Rule, TSSAA A. F. Bridges Award of Excellence recipient. by *Huskey.

House Joint Resolution No. 124 -- Memorials, Public Service - N.A. "Turk" Baz. by *Windle.

House Joint Resolution No. 125 -- Memorials, Public Service - Bill Bowden, Fentress Courier Newspaper publisher. by *Windle.

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House Joint Resolution No. 127 -- Memorials, Professional Achievement - Frank Grisanti, President, Tennessee Restaurant Association, 1997-1998. by *Kent.

House Joint Resolution No. 128 -- Memorials, Academic Achievement - Kevin G. Polk, All-State Academic Team representative. by *Ford S.

House Joint Resolution No. 129 -- Memorials, Professional Achievement - Ernest C. Withers, Sr., University of Memphis Black Student Association Lifetime Achievement Award recipient. by *Bowers, *Kernell, *Miller L, *Turner (Shelby), *DeBerry L, *Towns, *Brooks, *DeBerry J, *Jones U (Shelby), *Chumney.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 58 -- Naming and Designating - "Motorcycle Awareness Month," May 1997. by *Womack, *Kyle, *Dixon.

Transportation Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1951 -- Bluff City - Subject to local approval, revises charter. by *Godsey, *Mumpower, *Westmoreland.

House Bill No. 1952 -- School Districts, Special - At unanimous request of Milan special school district board, revises property tax rate in district. Amends Chapter 504 of the Private Acts of 1945, as amended. by *Phelan.

House Bill No. 1953 -- Gates - Subject to local approval, revises charter relative to election of board of mayor and aldermen; deletes restriction on property tax increases by board; removes authority of board of mayor and aldermen to elect board of education. Amends Chapter 286 of the Private Acts of 1943; as amended. by *Fitzhugh.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 106** -- Energy - Expands powers relative to natural gas properties to include electricity by authorizing incorporation as energy acquisition corporation instead of gas acquisition corporation. Amends TCA Title 7, Chapter 39. by *Rochelle, *Atchley. (HB201)

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***Senate Bill No. 1647** -- Highway Signs - "American Ex-Prisoners of War Highway," U.S. 70. by *Crowe, *Carter, *Harper, *Williams, *Dixon. (HB1434)

Senate Bill No. 1664 -- Unemployment Compensation - Establishes for purposes of determining "employment unit," that if two or more related corporations, paying through "common paymaster," pay concurrently employed employee, each corporation only considered to have paid employee amounts actually disbursed by each respective corporation. Amends TCA Section 50-7-205. by *McNally, *Elsea, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler, *Dixon, *Crutchfield, *Cooper, *Graves. (*HB1246)

Senate Bill No. 1667 -- Unemployment Compensation - Establishes \$50.00 minimum assessment against employer defaulting on unemployment insurance premiums. Amends TCA Section 50-7-404(c)(2). by *McNally, *Elsea, *Atchley, *Jordan, *Koella, *Person, *Haun, *Carter, *Ramsey, *Leatherwood, *Gilbert, *Miller J, *Dixon, *Crutchfield, *Cooper, *Graves. (*HB1244)

***Senate Bill No. 1773** -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 64 (S.R. 15), Wayne County. by *Wilder, *Kyle, *Dixon. (HB1739)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1949 -- Baxter -- Local Bill Held on House Desk

House Bill No. 1950 -- Clarksville -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 18, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 20, 1997**: House Bill(s) No(s). 419, 904, 622, 979, 1000, 1030, 960, 430, 663, 531, 1872 and 301.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 24, 1997**: House Bill(s) No(s). 231, 826, 1141, 333 and 1059.

AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 542, 1241, 1248, 1260 and 681, also House Bill(s) No(s). 1366 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 1256, 1261, 1578, 1142, 1253, 1254, 1136, 1372 and 1373; also House Bill(s) No(s). 413, 583, 1118 and 494 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1808. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 345 and 641. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 407. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1551, 892 and 1566. Under the rules, each was transmitted to the Calendar and Rules Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 39.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 276, 953 and 201. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 180. Under the rules, each was transmitted to the Calendar and Rules Committee.

After review, it further recommended that House Bill(s) No(s). 1825 be referred to the Commerce Committee, House Bill(s) No(s). 1758 and 412 be referred to the Health &

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Human Resources Committee and House Bill(s) No(s). 22 with amendments be referred to the Judiciary Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1505, also House Bill(s) No(s). 895, 284 and 518 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1429, 1281, 1464, 340 and 1437, also House Bill(s) No(s). 1316, 1586 and House Joint Resolution(s) No(s). 32 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 1434, 457, 1341, 493, 1107 also House Bill(s) No(s). 996 and House Joint Resolution(s) No(s). 72 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 19, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 24, 1997**: House Bill(s) No(s).1028, 24, 214, 215, 639 and 401.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 584 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 30. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1302, 1926, 720, 1615, 1689 and House Joint Resolution(s) No(s). 22 and 25, also House Bill(s) No(s). 961, 919, 224, 615, 1620, 1733 and House Joint Resolution(s) No(s). 48 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1143 and 1849; also House Bill(s) No(s). 1265 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CAPTION BILLS REFERRED

March 18, 1997

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1221 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1221 -- Real Estate Agents and Brokers -- House Commerce Committee

CAPTION BILLS REFERRED

March 19, 1997

Pursuant to **Rule No. 47**, the following Caption Bill(s), 432, 434, 678, 736, 784, 785, 1258, 1485, 1750 and 1880 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 432 -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

House Bill No. 434 -- Business Organizations -- House Judiciary Committee

***House Bill No. 678** -- Health -- House Health & Human Resources Committee

House Bill No. 736 -- Health -- House Commerce Committee

House Bill No. 784 -- TennCare -- House Commerce Committee

House Bill No. 785 -- Dentists -- House Commerce Committee

***House Bill No. 1258** -- Education -- House Education Committee

***House Bill No. 1485** -- County Government -- House State & Local Government Committee

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House Bill No. 1750 -- Workers' Compensation -- House Consumer & Employee Affairs Committee

House Bill No. 1880 -- Environmental Preservation -- House Conservation & Environment Committee

CONSENT CALENDAR

House Joint Resolution No. 113 -- Memorials, Retirement - Gene W. Mercer. by *Cole (Carter).

House Joint Resolution No. 114 -- Memorials, Academic Achievement - David McMahan Branam. National Beta Club Tennessee 1996-1997 Harris Leadership award. by *Davis R.

House Joint Resolution No. 116 -- Memorials, Heroism - Jerry Ingram. by *McDaniel, *Kisber.

House Joint Resolution No. 117 -- Memorials, Retirement - James W. Anderson. by *Hargett, *Kent, *Pleasant, *Haley, *Hassell, *Scroggs, *Cooper B, *Turner (Shelby).

House Joint Resolution No. 118 -- Memorials, Professional Achievement - "The Bev Johnson Show," tenth anniversary. by *Jones U (Shelby), *DeBerry L, *DeBerry J, *Brooks, *Bowers, *Armstrong, *Turner (Shelby), *Langster, *Miller L, *Pruitt, *Cooper B, *Brown.

House Joint Resolution No. 119 -- Memorials, Professional Achievement - James O. Baker, President, National Rural Electric Cooperative Association (NRECA). by *Hood, *Eckles, *Sargent, *Beavers, *Williams (Williams), *Bone, *Buck.

House Joint Resolution No. 120 -- Memorials, Personal Achievement - Gloria M. Jones, Grand Matron, Order of Eastern Star. by *DeBerry L, *Bowers.

Senate Joint Resolution No. 121 -- Memorials, Retirement - Frank Dudley. by *Rochelle.

By previous motion of Rep. Cole (Dyer), House Joint Resolution No. 121 was removed from the Consent Calendar.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Joint Resolution No. 94 -- Memorials, Academic Achievement - 1997 All-Tennessee Academic Team. by *Cole (Dyer).

Further consideration of House Joint Resolution No. 94, previously considered on March 10, 1997, at which time it was objected to on the Consent Calendar and reset to March 13, 1997. It was then reset to today's Regular Calendar.

On motion of Rep Cole (Dyer), **House Joint Resolution No. 94** was withdrawn from the House.

***House Bill No. 57** -- Highways, Roads and Bridges - Establishes certification board for candidates for chief administrative officer of county road departments. Amends TCA Section 54-7-104. by *Rhinehart. (SB111 by *Rochelle)

Rep. Rhinehart moved that House Bill No. 57 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 57 by deleting subdivision (B) of Section 1(a)(1) in its entirety and by relettering the subsequent subdivisions accordingly.

AND FURTHER AMEND by deleting the language "from the division of county audit" from subdivision (D) of Section 1(a)(1).

On motion, Amendment No. 1 was adopted.

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Rep. Rhinehart moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Rhinehart moved that House Bill No(s). 57 be reset for the Regular Calendar on March 20, 1997, which motion prevailed.

House Bill No. 1068 -- Interior Designers - Validates and corrects references to "registered interior designer," which were implied amendments arising from enactment of Chapter 113 of Public Acts of 1995. Amends TCA Section 62-2-101; Section 62-2-105; Section 62-2-106; Section 62-2-201; Section 62-2-202; Section 62-2-203; Section 62-2-204; Section 62-2-301; Section 62-2-302; Section 62-2-304; Section 62-2-307; Section 62-2-308; Section 62-2-902 and Section 62-2-906. by *Rhinehart, *Kent, *Halteman Harwell, *West. (*SB1498 by *Crutchfield)

On motion, House Bill No. 1068 was made to conform with **Senate Bill No. 1498**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 1498** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 92.

A motion to reconsider was tabled.

***House Bill No. 568** -- Highway Signs - "Lewis Garner Memorial Bridge," Middle Fork of Obion River on S.R. 54, Weakley County. by *Maddox. (SB1017 by *Herron)

On motion, House Bill No. 568 was made to conform with **Senate Bill No. 1017**; the Senate Bill was substituted for the House Bill.

Rep. Maddox moved that **Senate Bill No. 1017** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 650** -- Highway Signs - "Jefferson County Veterans Memorial Highway," segment of S.R. 92, Jefferson County. by *Roach. (SB1243 by *Williams)

On motion, House Bill No. 650 was made to conform with **Senate Bill No. 1243**; the Senate Bill was substituted for the House Bill.

Rep. Roach moved that **Senate Bill No. 1243** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 711** -- Children's Services, Dept. of - Prohibits placement of certain children in custody of department. Amends TCA Section 37-1-137. by *Brown. (SB1487 by *Crutchfield)

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Rep. Brown moved that House Bill No(s). 711 be reset for the Regular Calendar on Wednesday, April 2, 1997, which motion prevailed.

***House Bill No. 441** -- Claims Commission, Tennessee - Replaces commissioner of revenue with commissioner of finance and administration on board of claims; limits applicable appellate rules to those governing final judgments entered in civil actions by trial courts. Amends TCA Section 9-8-101(a) and Section 9-8-403(a)(1). by *Fowlkes. (SB1526 by *Crutchfield)

On motion, House Bill No. 441 was made to conform with **Senate Bill No. 1526**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that **Senate Bill No. 1526** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Bowers, Brooks -- 2.

A motion to reconsider was tabled.

House Bill No. 545 -- Naming and Designating - "Who We Are," by Margaret Britton Vaughn, as official poem of Tennessee Bicentennial. Amends TCA Title 4, Chapter 1, Part 3. by *Fowlkes, *Phillips. (*SB556 by *Womack)

Rep. Fowlkes moved that **House Bill No. 545** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 717 -- Business Organizations - Limits existence of limited partnerships to 50 years unless certificate of limited partnership states otherwise. Amends TCA Section 61-2-201. by *Fowlkes. (*SB753 by *Cohen)

Rep. Fowlkes moved that House Bill No(s). 717 be reset for the Regular Calendar on Wednesday, March 26, 1997, which motion prevailed.

House Bill No. 718 -- Correctional Programs - Changes composition of board of workhouse commissioners from four members of county legislative body and executive of legislative body to four members of county legislative body and chief executive officer of the county. Amends TCA Section 41-2-104. by *Fowlkes. (*SB1176 by *Ramsey)

Rep. Fowlkes moved that **House Bill No. 718** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Pinion moved that the rules be suspended for the purpose of introducing House Resolution No. 39 out of order, which motion prevailed.

House Resolution No. 39 -- Memorials, Recognition and Thanks - Reverend and Mrs. Bobby Williams. by *Pinion.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pinion, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of considering House Bill No. 1948 out of order, which motion prevailed.

House Bill No. 1948 -- Cookeville - Subject to local approval, changes hospital name from "Cookeville General Hospital" to "Cookeville Regional Medical Center" or other name as designated by city council Amends Chapter 223 of the Private Acts of 1961. by *Hargrove. (SB1954 by *Burks)

Rep. Hargrove moved that **House Bill No. 1948** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Patton, **House Bill No. 1779** was recalled from the Commerce Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 83: Rep(s). Chumney, Cross and Hood as prime sponsor(s).

House Joint Resolution No. 113: Rep(s). Hood as prime sponsor(s).

House Joint Resolution No. 126: Rep(s). Chumney as prime sponsor(s).

House Bill No. 216: Rep(s). Walker as prime sponsor(s).

House Bill No. 218: Rep(s). Walker as prime sponsor(s).

House Bill No. 766: Rep(s). Beavers, Bird, Scroggs, Hargett, Haley and Pleasant as prime sponsor(s).

House Bill No. 830: Rep(s). Lewis, Head and Williams as prime sponsor(s).

House Bill No. 1275: Rep(s). Ridgeway as prime sponsor(s).

House Bill No. 1332: Rep(s). Chumney as prime sponsor(s).

House Bill No. 1650: Rep(s). Odom, S. Jones, Bittle, Westmoreland, Head, McDaniel, McMillan, Cross, Williams, Eckles, Caldwell and Turner (Hamilton) as prime sponsor(s).

House Bill No. 1823: Rep(s). Tindell as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Haley and Kent was/were removed as sponsor(s) of **House Bill No. 729**.

WEDNESDAY, MARCH 19, 1997 -- EIGHTEENTH LEGISLATIVE DAY

On motion, Rep(s). Haley and Kent was/were removed as sponsor(s) of **House Bill No. 730**.

On motion, Rep(s). Patton was/were removed as sponsor(s) of **House Bill No. 1779**.

MESSAGE FROM THE GOVERNOR

March 19, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 85, 86, 87, 91, 92 and 93, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

March 19, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 1 and 23; also, House Resolution(s) No(s). 35, 36 and 37.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 19, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 1 and 23; also, House Resolution(s) No(s). 35, 36 and 37.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 19, 1997

The Speaker signed the following: Senate Bill(s) No(s). 377; also, Senate Joint Resolution(s) No(s). 81, 82, 89, 90 and 107.

MESSAGE FROM THE SENATE

March 19, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1436 and 1879; also, House Joint Resolution(s) No(s). 88, 89, 95, 96, 97, 98, 99, 102 and 106; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 19, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 158, 515 and 1010; also, Senate Joint Resolution(s) No(s). 12, 93, 94, 95, 96, 97, 98, 100, 102, 103, 104, 105 and 109 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 19, 1997

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1436 and 1879; also, House Joint Resolution(s) No(s). 88, 89, 95, 96, 97, 98, 99, 102 and 106.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

March 19, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 545, 718 and 1948, also, House Joint Resolution(s) No(s) 113, 114, 116, 117, 118, 119, 120 and 121.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

WEDNESDAY, MARCH 19, 1997 -- EIGHTEENTH LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, March 20, 1997.